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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

DENICE MADISON,)	No. 2:11-cv-1126
)	
Plaintiff,)	
)	
v.)	COMPLAINT AND DEMAND FOR
)	JURY TRIAL
UNITED COLLECTION SERVICE,)	
)	
Defendant.)	

DENICE MADISON, ("Plaintiff"), through the undersigned counsel, Karen S. Lindholdt, alleges the following against UNITED COLLECTION SERVICE, INC., ("Defendant"):

I. INTRODUCTION

1 5. Defendant is engaged in the collection of debts from consumers using
2 the mail and telephone. Defendant regularly attempts to collect consumer debts
3 alleged to be due to another. Defendant is a “debt collector” as defined by the
4 FDCPA, 15 U.S.C. § 1692a (6).
5

6 **IV. FACTUAL ALLEGATIONS**

7 6. Defendant constantly and continuously placed excessive collection
8 calls to Plaintiff in a manner that displays intent to annoy Plaintiff, seeking and
9 demanding payment for an alleged consumer debt owed under an account number.
10

11 7. Upon information and belief, Defendant began placing collection calls
12 to Plaintiff on February 24, 2011.
13

14 8. Upon information and belief, Defendant called Plaintiff at Plaintiff’s
15 place of employment, and was given knowledge of Plaintiff’s work hours and that
16 such calls both inconvenience Plaintiff and are prohibited by Plaintiff’s employer.
17

18 9. Upon information and belief, Defendant continued to call Plaintiff
19 again at Plaintiff’s place of employment without Plaintiff’s consent.

20 10. Upon information and belief Defendant failed to disclose in the initial
21 communication with the Plaintiff, which was not a formal pleading, that the
22

1 Defendant is attempting to collect a debt and that any information obtained will be
2 used for that purpose.

3
4 11. Defendant utilized unfair and unconscionable means to try to get
5 payments from Plaintiff, by continuing to call Plaintiff at work after Plaintiff asked
6 Defendant not to; without Plaintiff's consent.

7
8 12. As a result of the acts alleged above, Plaintiff suffered emotional
9 distress resulting in her feeling stressed.

10
11 **V. CLAIM FOR RELIEF**

12 13. Plaintiff repeats and realleges and incorporates by reference to the
13 foregoing paragraphs.

14 14. Defendant violated the FDCPA. Defendant's violations include, but
15 are not limited to, the following:

16
17 (a) Defendant violated §1692d(5) of the FDCPA by causing
18 Plaintiff's telephone to ring continuously with intent to annoy, abuse,
19 or harass, the natural consequence of which was to harass, oppress
20 and/or abuse Plaintiff; and
21
22
23

1 (b) Defendant violated §1692f of the FDCPA by using unfair
2 or unconscionable means in connection with the collection of an
3 alleged debt; and

4 (c) Defendant violated §1692a(3) of the FDCPA by calling
5 Plaintiff's place of employment with knowledge or the reason to know
6 that the consumer's employer prohibits the consumer from receiving
7 such communication, without the prior consent of Plaintiff given
8 directly to Defendant or the express permission of a court of
9 competent jurisdiction.
10

11 (d) Defendant violated §1692e(11) of the FDCPA by failing
12 to disclose in the initial communication with the Plaintiff that the
13 Defendant is attempting to collect a debt and that any information
14 obtained will be used for that purpose; without the initial
15 communication being a formal pleading.
16

17
18 15. Defendant's acts as described above were done intentionally with the
19 purpose of coercing Plaintiff to pay the alleged debt.
20

21 16. As a result of the foregoing violations of the FDCPA, Defendant is
22 liable to the Plaintiff Denice Madison for declaratory judgment that Defendant's
23

1 conduct violated the FDCPA, actual damages, statutory damages, and costs and
2 attorney fees.

3 WHEREFORE, Plaintiff respectfully requests that judgment be entered
4 against defendant United Collection Services, Inc., for the following:
5

6 A. Declaratory judgment that Defendant's conduct violated the
7 FDCPA.

8 B. Actual damages;

9 C. Statutory damages pursuant to 15 U.S.C. § 1692k.
10

11 D. Costs and reasonable attorney fees pursuant to 15 U.S.C. §
12 1692k;

13 E. For such other and further relief as the Court may deem just and
14 proper.
15

16 **DEMAND FOR JURY TRIAL**

17
18 PLEASE TAKE NOTICE that Plaintiff DENICE MADISON demands trial
19 by jury in this action.

20 Dated this 5th day of July, 2011.
21

22 s/ Karen S. Lindholdt
23 Karen Lindholdt, WSBA #24103
Attorney at Law

24 Complaint
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